

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOSEPH FALSON,

Plaintiff,

-against-

BPP ST OWNER LLC, et al.,

Defendants.
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DEC 01 2021

ORDER

20 Civ. 10816 (GBD)

GEORGE B. DANIELS, District Judge:


For the reasons stated on the record during the oral argument held on November 30, 2021, the complaint is dismissed for failure to sufficiently allege state action to establish federal subject matter jurisdiction.

The Clerk of Court is directed to close the motion at ECF No. 14 accordingly.

Plaintiff may seek leave to amend the complaint by letter application, attaching a proposed amended complaint, on or before December 30, 2021 if amendment would not be futile. Defendants shall file any opposition to Plaintiff's letter application on or before January 10, 2022.

Dated: New York, New York
December 1, 2021

SO ORDERED.



GEORGE B. DANIELS
United States District Judge